

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLN. NO.: 10/607,646

ATTY DOCKET NO.: A8973

AMENDMENTS TO THE DRAWINGS

Applicants are submitting a redlined figure 3 to address the Examiner's objections to the drawings. Specifically, items 14 and 32 have been deleted and new items 58, 60, 62 and 64 have been added. The Examiner is requested to approve the drawing changes.

Attachment: Annotated Sheet(s)

REMARKS

Claims 1-9 are all the claims pending in the application.

Claims 1-5, which had been previously withdrawn, have been canceled without prejudice or disclaimer.

Claim 1 has been amended for stylistic reasons. The amendment is not intended to narrow the scope of the claim.

New claims 10 and 11 have been added to provide additional claim coverage.

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PRIOR ART REJECTIONS

The Examiner has rejected claims 6-9 under 35 U.S.C. § 103(a) as being unpatentable over Forrester et al. in view of Bossard. Applicants traverse these rejections because the cited references fail to disclose or suggest all of the claim limitations. Specifically, the cited references fail to disclose at least the following limitations of claim 1:

Claim 6:

using a bail to connect the clamp to a support structure;

connecting a splice closure to the bail;

Claim 6 requires that the bail be connected to (1) the clamp, (2) the support structure and (3) and the splice closure. For example purposes only, figure 1 shows a bail 16 connected to a claim 12, support structure (e.g., a pole) 18 and the splice closure 24.

The Examiner alleges that Forrester et al. figure 9 shows a clamp 12 and bails 18 and 20. However, items 12, 18 and 20 are components of only one item - the deadend (see col. 3, line 66 to col. 4, line 5). Forrester et al. states that the deadend “is a piece of hardware.” (emphasis added) The deadend, or clamp is attached to a fiber optic cable. In addition, the deadend is attached to a rigid link 22 and the rigid link 22 is attached to the support structure or pole. Assuming the Examiner is correct in asserting that the bail includes items 18 and 20, then the bail would not be connected to the support structure or pole; rather, the “bail” would be connected to the rigid link 22. On the other hand, if the rigid link 22 was considered to be the bail, then the alleged splice closure 70, would not be connected to the bail. For at least these reasons, the Examiner is requested to withdraw the prior art rejection of claim 6.

Regarding claims 7-11, these should be allowable at least based on their dependence from claim 6 for the same reasons.

In addition, regarding claim 9, none of the references disclose or suggest at least a cable that can be accessed without requiring additional slack to perform a splice. The Examiner appears to concede this, but says that it would be obvious to work on the cable without requiring additional slack. Applicants respectfully disagree. The entire thrust of Forrester et al. is to provide a method and apparatus for storing surplus cable, i.e., having slack in the cable. See also, col. 1, lines 28-39. Therefore, Forrester clearly teaches away from reducing or eliminating slack.

Regarding new claims 10 and 11, none of the cited references disclose a taut sheath splicing method or a method that does not require predetermining splice points or slack coils.

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In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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